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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BEVERLY BEAM, : 4:CV-01-0083
Plaintiff : (Judge McClure)

v. :

SCOTT DOWNEY, ROGER MORRISON,
DAVID GRAYBILL and :
MICHAEL SWEGER, :

Defendants

FILED
WILLIAMSPORT, PA

JAN - 7 2002

MARY E. D'ANDREA, CLERK
Per lp DEPUTY CLERK

ORDER

January 7, 2002

BACKGROUND:

On September 5, 2001, plaintiff filed a motion for enlargement of time (record document no. 23), requesting a 120-day enlargement of time of the discovery period until March 1, 2001, and to advance the case management plan accordingly.

On September 11, 2001, the court granted plaintiff's motion to the extent of extending the discovery period 60 days to January 2, 2002, and adjusting other deadlines accordingly. However, the order was erroneously docketed and reflected that the court granted the requested 120-day enlargement and that the

discovery period was extended to March 1, 2002.

On January 3, 2002, plaintiff's counsel advised the court that he relied upon the erroneous docket entry and proceeded accordingly, believing that discovery was extended to March 1, 2002.

The court suggests that counsel rely on the court's order, rather than the cryptic docket entries. However, due to the confusion, the court will extend the discovery deadline to February 1, 2002.

IT IS ORDERED THAT:

1. **Trial list.** The case is removed from the May 2002 trial list and will be placed on a trial list, if necessary, upon disposition of all summary judgment motions, or if none is timely filed. A final pretrial/settlement conference will then also be scheduled and motion in limine deadlines established.
2. **Discovery.** All fact discovery shall be completed on or before February 1, 2002
3. **Dispositive motions.** All motions for judgment on the pleadings or for summary judgment shall be filed on or before February 15, 2002.
4. **Expert witnesses.** To the extent required by Fed. R. Civ. P. 26(a)(2), plaintiff will supply to defendants the name and report of her expert(s) on or before March 1, 2002, and defendants will supply to plaintiff the name and report

of their expert(s) on or before March 29, 2002.

4.1 Depositions of experts for use at trial in lieu of live testimony may be taken at any time prior to trial, with concurrence of counsel.

4.2 Supplemental reports of plaintiff's experts must be supplied to opposing counsel on or before April 12, 2002.

4.3 Supplemental reports of defendants' experts must be supplied to opposing counsel on or before April 26, 2002.

4.4 All depositions of an opposing party's experts under Fed. R. Civ. P. 26(b)(4) must be conducted on or before May 10, 2002.

4.5 Counsel are reminded of their continuing obligation to supplement disclosures and responses in accordance with the provisions of Fed. R. Civ. P. 26(e), which obligation is not affected by this order.

6. **Superseding order.** This order supersedes all previous scheduling orders, to the extent inconsistent herewith.



James F. McClure, Jr.
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

January 7, 2002

Re: 1:01-cv-00083 Beam v. Downey

True and correct copies of the attached were mailed by the clerk
to the following:

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cc:
Judge () () Pro Se Law Clerk
Magistrate Judge () () INS
U.S. Marshal () () Jury Clerk
Probation ()
U.S. Attorney ()
Atty. for Deft. ()
Defendant ()
Warden ()
Bureau of Prisons ()
Ct Reporter ()
Ctroom Deputy ()
Orig-Security ()
Federal Public Defender ()
Summons Issued () with N/C attached to complt. and served by:
U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5 ()
Order to Show Cause () with Petition attached & mailed certified mail
to: US Atty Gen () PA Atty Gen ()
DA of County () Respondents ()
Bankruptcy Court ()
Other press (✓)

MARY E. D'ANDREA, Clerk

DATE: 1/7/02

BY: [Signature]
Deputy Clerk